

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JASON E. SPENGLER,

Defendant.

Case No. 3:21-cr-30058-DWD

ORDER

DUGAN, District Judge:

On April 28, 2021, Defendant waived indictment and pled guilty to Count I of the Information (Doc. 2), which charged a False Statement under 18 U.S.C. § 1001. The charge related to Defendant's untruthful representation, on an application for a Paycheck Protection Plan loan, that he was not involved in bankruptcy proceedings. On August 18, 2021, Defendant was sentenced to 36 months of probation, a special assessment of \$100, restitution in the amount of \$310,343.15, and 150 hours of community service. (Doc. 21).

Now, Defendant presents a Motion for Early Termination of Probation (Doc. 23). 18 U.S.C. § 3564(c) governs, stating: “The court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant...at any time after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interests of justice.”

Here, Defendant notes he repaid all unspent funds before he was charged in this case. (Doc. 23, pg. 1). Defendant further notes he satisfied the full amount of restitution before his sentencing. (Doc. 23, pg. 1). Defendant also believes he completed the Court-ordered community service and committed no violations of probation. (Doc. 23, pg. 2). Finally, Defendant submits, as noted in the Government's sentencing memorandum (Doc. 16), the funds were used for "legitimate payroll expenses" and not "lavish personal purchases." (Doc. 23, pg. 2). The Government does not object to a termination of probation on or after February 18, 2023, which marks half of the term of probation.

Upon consideration of these circumstances, as stated in the Motion for Early Termination of Probation, and §§ 3564 and 3553(a), the Court **FINDS** an early termination of probation is warranted by Defendant's conduct and the interests of justice. Accordingly, the Court **GRANTS** the Motion for Early Termination of Probation. Defendant's probation is **TERMINATED immediately**.

SO ORDERED.

Dated: February 21, 2023

The image shows a handwritten signature, "David W. Dugan", in black ink. The signature is written over a circular official seal. The seal features an eagle with a shield, holding an olive branch and arrows, with a constellation of stars above its head. The text "UNITED STATES DISTRICT COURT" is arched across the top, and "SOUTHERN DISTRICT OF ILLINOIS" is arched across the bottom.

DAVID W. DUGAN
United States District Judge